

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

IN RE: GOLD KING MINE RELEASE IN SAN  
JUAN COUNTY, COLORADO, ON AUGUST 5,  
2015

*This Document Relates to:*

*No. 1:16-cv-00931*

*No. 1:16-cv-00465*

C.A. No. 1:18-md-02824-WJ

**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE OF  
THE NAVAJO NATION'S CLAIMS AGAINST THE FEDERAL PARTIES**

On June 14, 2022, Plaintiff the Navajo Nation and Defendants the United States and the United States Environmental Protection Agency (together, “the Federal Parties”) signed an out-of-court settlement agreement that resolved all claims between them in this litigation. Pursuant to that settlement agreement, within seven days of the Federal Parties remitting both of the agreed-upon payments to the Navajo Nation, the Navajo Nation agreed to voluntarily dismiss its claims against the Federal Parties with prejudice. On July 17, 2022, the Navajo Nation received the first agreed-upon payment from the Federal Parties totaling \$18 million. On September 29, 2022, as permitted by the Court’s August 17, 2022 Order (Dkt. 1784), the Federal Parties deposited the second agreed-upon payment of \$10 million into the Court Registry Investment System.

Accordingly, the Navajo Nation and Federal Parties hereby stipulate under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) as follows:

1. The Navajo Nation’s claims under the Comprehensive Environmental Response, Compensation, and Liability Act (its First and Second Claims for Relief) brought against the Federal Parties in *Navajo Nation v. United States of America* (No. 1:16-

cv-00931), which was consolidated as part of the multi-district litigation captioned as *In re Gold King Mine Release in San Juan County, Colorado on August 5, 2015*, (No. 1:18-md-02824-WJ), are dismissed with prejudice. (See Dkt. 7, No. 1:18-md-02824, the Navajo Nation's First Amended Complaint at ¶¶ 147–171.)

2. The Navajo Nation's claims under the Federal Tort Claims Act (its Third, Fourth, Fifth, Sixth, and Seventh Claims for Relief) brought against the Federal Parties in *Navajo Nation v. United States of America* (No. 1:16-cv-00931), which was consolidated as part of the multi-district litigation captioned as *In re Gold King Mine Release in San Juan County, Colorado on August 5, 2015*, (No. 1:18-md-02824-WJ), are dismissed with prejudice. (See Dkt. 7, No. 1:18-md-02824, the Navajo Nation's First Amended Complaint at ¶¶ 172–210.)

**STIPULATED TO BY:**

Dated: October 6, 2022

/s/ Andrew K. Walsh

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Dated: October 6, 2022

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 6, 2022 the foregoing document was filed via the U.S. District Court of New Mexico's CM/ECF electronic filing system and a copy thereof was served via the CM/ECF electronic transmission upon all counsel of record, as reflected by the Court's CM/ECF system.

/s/ Andrew K. Walsh